

**ASSEMBLY BILL**

**No. 1203**

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**Introduced by Assembly Member Ma**  
**(Coauthor: Assembly Member Ruskin)**  
(Coauthors: Senators DeSaulnier and Yee)

February 27, 2009

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An act to amend Section 8879.59 of the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1203, as introduced, Ma. Transportation bond funds: transit system safety.

Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19.925 billion of general obligation bonds for specified purposes. Existing law requires the deposit of \$1 billion of the bond proceeds in the Transit System Safety, Security, and Disaster Response Account to be used, upon appropriation, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems that can move people, goods, and emergency personnel and equipment in the aftermath of a disaster impairing that movement. Existing law requires the allocation of 25% of these funds for capital expenditures to regional public waterborne transit agencies authorized to operate a regional public water transit system, as specified, and requires the California Emergency Management Agency (Cal EMA) to administer a grant application and award program for transit agencies eligible to receive the funds. Existing law requires Cal EMA to select

eligible projects to receive those grants by February 1 of each fiscal year in which funds are appropriated for that purpose.

This bill would additionally require Cal EMA, by February 1 of each fiscal year, in which funds are appropriated for that purpose to provide the Controller with a list of projects and the sponsoring agencies eligible to receive an allocation. The bill would require the Controller, upon receipt of this information, to commence any necessary actions to allocate funds to those agencies, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 8879.59 of the Government Code is  
2 amended to read:  
3 8879.59. (a) For funds appropriated from the Transit System  
4 Safety, Security, and Disaster Response Account for allocation to  
5 transit agencies eligible to receive funds pursuant to subdivision  
6 (b) of Section 8879.57, the ~~Office of Emergency Services (OES)~~  
7 *California Emergency Management Agency (Cal EMA)* shall  
8 administer a grant application and award program for those transit  
9 agencies.  
10 (b) Funds awarded to transit agencies pursuant to this section  
11 shall be for eligible capital expenditures as described in subdivision  
12 (b) of Section 8879.57.  
13 (c) Prior to allocating funds to projects pursuant to this section,  
14 ~~OES~~ *Cal EMA* shall adopt guidelines to establish the criteria and  
15 process for the distribution of funds described in this section. Prior  
16 to adopting the guidelines, ~~OES~~ *Cal EMA* shall hold a public  
17 hearing on the proposed guidelines.  
18 (d) For each fiscal year in which funds are appropriated for the  
19 purposes of this section, ~~OES~~ *Cal EMA* shall issue a notice of  
20 funding availability no later than October 1.  
21 (e) No later than December 1 of each fiscal year in which the  
22 notice in subdivision (d) is issued, eligible transit agencies may  
23 submit project nominations for funding to ~~OES~~ *Cal EMA* for its  
24 review and consideration. Project nominations shall include all of  
25 the following:

1 (1) A description of the project, which shall illustrate the  
2 physical components of the project and the security or emergency  
3 response benefit to be achieved by the completion of the project.

4 (2) Identification of all nonbond sources of funding committed  
5 to the project.

6 (3) An estimate of the project's full cost and the proposed  
7 schedule for the project's completion.

8 (f) No later than February 1, ~~2018~~ *Cal EMA* shall select eligible  
9 projects to receive grants under this section *and shall provide the*  
10 *Controller with a list of the projects and the sponsoring agencies*  
11 *eligible to receive an allocation from the account. Upon receipt*  
12 *of this information, the Controller's office shall commence any*  
13 *necessary actions to allocate funds to those agencies, including,*  
14 *but not limited to, seeking the issuance of bonds for that purpose.*  
15 Grants awarded to eligible transit agencies pursuant to subdivision  
16 (b) of Section 8879.57 shall be for eligible capital expenditures,  
17 as described in paragraph (2) of subdivision (b) of that section.